

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

10 CIV. 7733

JOSEPH CASABLANCA

(In the space above enter the full name(s) of the plaintiff(s).)

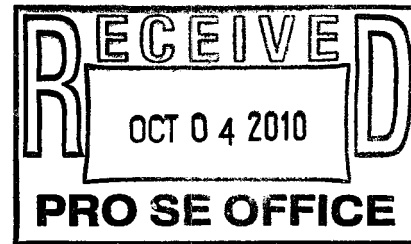
-against-

NEW YORK TIMES CORPORATION

**COMPLAINT
FOR EMPLOYMENT
DISCRIMINATION**

Jury Trial: ☒ Yes ☐ No
(check one)

(In the space above enter the full name(s) of the defendant(s).
If you cannot fit the names of all of the defendants in the space
provided, please write "see attached" in the space above and
attach an additional sheet of paper with the full list of names.
Typically, the company or organization named in your charge
to the Equal Employment Opportunity Commission should be
named as a defendant. Addresses should not be included here.)



This action is brought for discrimination in employment pursuant to: (check only those that apply)

_____ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

NOTE: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue Letter from the Equal Employment Opportunity Commission.

_____ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 - 634.

NOTE: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.

✓ _____ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 - 12117.

NOTE: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue Letter from the Equal Employment Opportunity Commission.

_____ New York State Human Rights Law, N.Y. Exec. Law §§ 290 to 297 (age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status).

_____ New York City Human Rights Law, N.Y. City Admin. Code §§ 8-101 to 131 (actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, sexual orientation, alienage, citizenship status).

I. Parties in this complaint:

- A. List your name, address and telephone number. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff Name JOSEPH CASA BLANCA
 Street Address 29 ELLINGTON WAY
 County, City SPRING VALLEY
 State & Zip Code NEW YORK 10977
 Telephone Number (845) 360-2640

- B. List all defendants' names and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant Name NEW YORK TIMES CORPORATE OFFICE
 Street Address 620 8TH AVENUE
 County, City NEW YORK
 State & Zip Code NEW YORK 10018
 Telephone Number (212) - 556-1234

- C. The address at which I sought employment or was employed by the defendant(s) is:

Employer NEW YORK TIMES / NEW YORK TIMES PLAZA
 Street Address 1 PLAZA
 County, City FLUSHING, NEW YORK
 State & Zip Code 11354
 Telephone Number (212) - 556-1234

II. Statement of Claim:

State as briefly as possible the facts of your case, including relevant dates and events. Describe how you were discriminated against. If you are pursuing claims under other federal or state statutes, you should include facts to support those claims. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

- A. The discriminatory conduct of which I complain in this action includes: (check only those that apply)

<input type="checkbox"/>	Failure to hire me.	INCLUDING HARASSMENT VERBAL ABUSE AND FORCED UNPAID TIME OFF.
<input type="checkbox"/>	Termination of my employment.	
<input type="checkbox"/>	Failure to promote me.	
<input checked="" type="checkbox"/>	Failure to accommodate my disability.	
<input checked="" type="checkbox"/>	Unequal terms and conditions of my employment.	

☒ Retaliation.

☒ Other acts (specify): Verbal Abuse AND Threats, Harassment

Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.

B. It is my best recollection that the alleged discriminatory acts occurred on: Feb 2010 - June 2010 Date(s) Approx.

C. I believe that defendant(s) (check one):

☒ is still committing these acts against me.

☐ is not still committing these acts against me.

NOT SURE WHAT TO EXPECT. UNION REPRESENTATIVE NOT ASSISTING

D. Defendant(s) discriminated against me based on my (check only those that apply and explain):

- ☐ race _____ ☐ color _____
- ☐ gender/sex _____ ☐ religion _____
- ☐ national origin _____
- ☐ age. My date of birth is _____ (Give your date of birth only if you are asserting a claim of age discrimination.)

☒ disability or perceived disability, Chronic Pain (Inability to work) (specify) Systemically

E. The facts of my case are as follow (attach additional sheets as necessary):

Since the beginning of 2010, reporting in February, I have been harassed by the, Company personnel and other supervisors and have been brought up on false accusations. This is quite serious as a result of these white lies and false accusations I lost pay. This has created an additional hardship for me.

Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, the New York State Division of Human Rights or the New York City Commission on Human Rights.

PLEASE SEE ATTACHED (SERIES OF EVENTS)

III. Exhaustion of Federal Administrative Remedies:

A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding defendant's alleged discriminatory conduct on: May 13, 2010 (Date).

B. The Equal Employment Opportunity Commission (check one):

 ✓ has not issued a Notice of Right to Sue letter.
 issued a Notice of Right to Sue letter, which I received on July 2, 2010 (Date).

Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.

C. Only litigants alleging age discrimination must answer this Question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding defendant's alleged discriminatory conduct (check one):

 60 days or more have elapsed.
 less than 60 days have elapsed.

IV. Relief:

\$ 35,000

WHEREFORE, plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, and costs, as follows: The sum of \$35,000 or

WHATSOEVER THE COURT DEEMS. SUM AND RELIEF
SOUGHT INCLUDES LOSS WAGES, PAIN AND SUFFERING
 (Describe relief sought, including amount of damages, if any, and the basis for such relief.)

EMOTIONAL, MENTAL, PHYSICAL, TIME SPENT RE: LEGAL
FILINGS, ETC. I HAVE WORKED AT THE NEW YORK TIMES

I declare under penalty of perjury that the foregoing is true and correct.

Joseph Cosablene
 Signed this 30 day of September, 2010

SINCE 1998 AND
HAVE BEEN A
DEDICATED EMPLOYEE

Signature of Plaintiff

Address

Telephone Number

Fax Number (if you have one)

Joseph Cosablene
29 ELLINGTON WAY
NEW HEMPSTEAD, N.Y. 10977
TELEPHONE # 845-300-2640

Casablana, Joseph v. New York Times Corporation

EEOC Charge No: 846-2010-51116

Addendum Facts in the Case:

I have worked with the New York Times Corporation for over 30 years and have been a dedicated employee. I have enjoyed my work as a Pressman but I have also had to endure the wear and tear that working in that occupation has on one's body. Over the year's, I have developed injuries and have a disability for which I have a physician who specializes in pain management and rehabilitation. Working the printing press is very demanding, long hours on your feet, eye exposure to ink and other chemicals. I am currently taking medication(s) (savella, cyclospirine ophthalmie). At times in conversation, I may have a delayed response a condition that has also developed over the years.

Since the beginning of the year, it seems as if I have been systematically singled out by my General Foreman and other supervisors on false and unwarranted charges. There are craft letters (writes-ups) in my employee file that I do not have access to as the foreman refuses to give copies to me. Therefore, I am not fully aware of what is being stated in those craft letters. The union has done very little so far to investigate the matter.

I am not sure what is going on with management with regards to the union workers but as far as I know there were three other colleagues and co-workers that were also brought up on false charges, which leads me to believe that sometime "fishy" is going on.

The environment in the shop has me on edge much of the time with stress and fear as I do not know where the next write-up will come from. This situation with the craft letters and employees not having access to them provides an "**unfair advantage**" to supervisors and managers often resulting in unjustified time off the schedule without pay. This is another matter that needs to be addressed at some point.

Casablana, Joseph v. New York Times Corporation
EEOC Charge No: 846-2010-51116

Series of Events

3/2/2010- Prescription explaining eye problems. Mild Astigmatism

4/18/2010- Bill Noroda makes a craft action letter (write up) claiming that I was reading a New York Post newspaper at the time of start up. This was a false accusation. I was more than 25 feet from Mr. Noroda, and there was no way that he could see if I was reading a newspaper or not. ***I was suspended from work for two (2) days without pay.***

4/22/2010- I receive a craft letter from Brian McCabe. He claims that I walked away from the press for one minute while he was ready to pull his file copies. I walked away quickly to wash my hands and get ***ink*** out of my eyes. I told the pic pressman in charge Frank Donnatin that I needed to wash my hands and get the ink out of my eyes. Mr. McCabe screamed at me violently and threatened me. ***I was suspended from work for seven (7) days without pay.***

4/24/2010-4/25/2010- Washington's Birthday February 15, 2010 was observed the week of February 22, 2010. Due to my eye problems I was to schedule to days off of work and I did so the wrong week. I scheduled the week after I actually wanted to do, this was an honest mistake because of the stigmatism that I have in my eye. ***I was suspended from work for two (2) days on these dates without pay.***

6/4/2010- I drafted a letter to Ray Walsh General Foreman (***See Enclosed Letter***). At the time, I requested a copy of the craft letters (my write ups) which were refused.

6/3/2010- Letter written by me to Terry L Hayes, SR VP Labor Relations stating that Michael Lawler, nightshift chairman that Ray Walsh confirmed that I would be off the schedule for nine(11) days June 6-June 18, 2010 without pay. Reason due to the 2 craft action letters issued by Bill Noroda and Brian McCabe issued by JG McCabe. I requested a copy of those letters and was denied. ***I was suspended from work for nine(9) days without pay.***

6/7/2010- 12:35 PM John Heffernon phone call confirmed everything against me. Said that I was reading the New York Post. Also spoke on attendance re: President's Day when due to my vision problems I read the wrong week and by accident did not show up to work. (***Prescription Enclosed***)

3/2/2010

J. Casablanca
 29 E 11th Ave
 New Hempstead, NY
 10974

845 300 264

Enclosed prescription explaining eye
 problems.

Thank you,
 Joseph Casablanca

VCNYR-PadMAN18785 P Paid 10 of 20 12/29/2009 N
OFFICIAL NEW YORK STATE PRESCRIPTION

☐ WILLIAM J SCHWARTZ MD
 LIC 105538 AS188615
☐ PHYLIS WEINGARTEN MD
 LIC 173064 BW3427913
☐ CATHERINE C. FUREY MD
 LIC 222018 BF332202
 4 MEDICAL PARK DRIVE
 POMONA, NY 10870
 (914) 354-6225

PRACTITIONER DEA NUMBER

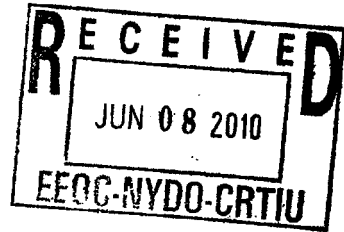
Patient Name Joseph Casablanca Date 3/2/10
 Address _____ Sex ☒ M ☐ F
 City _____ State _____ Zip _____ Age _____
 Rx MILD Astigmatism/Keratoconychia
Ready Specs recommended.

Prescriber Signature [Signature]
 THIS PRESCRIPTION WILL BE FILLED GENERALLY UNLESS PRESCRIBER WRITES 'dow' IN THE BOX BELOW
 REFILLS ☐ None ☐ Refills: _____
 PHARMACIST TEST AREA: _____ Dispense As Written: ☐ **0LWHDX 52**
 AUTHORIZED PRESCRIPTION PATIENTS 6/1/2006 6/30/10

PAGE # 1

JOSEPH CASABLANCA
29 ELLINGTON WAY
New Hempstead, NY 10977
TEL #845 300 2640

THE New York Times
620 8th Ave
NYC, NY - 10018



Sunday, 4/18/2010

41 press

Setting color myself- BILL NORODA makes A COURT ACTION Letter

THAT I WAS READING A POST NEWSPAPER AT
THE TIME OF START UP. THIS IS A FALSE ACUSATION
I WAS MORE THAN 25 feet from MR NORODA, THERE
IS NO POSSIBLE WAY HE IS ABLE TO SEE ANY
TYPE OF DESCRIPTIVE DOCUMENT LETTERING.

I WAS SUSPENDED 2 DAYS FROM WORK AT
JOHN G McCABE (ASSISTANT
GENERAL FOREMAN Discrepancy.)
AT HIS - time off. when will give

page 2-

THURSDAY 4/22/2010

44 press

myself
Setting Color Brian McCabe makes a Craft
Action Letter.

THAT I WALKED AWAY for Approximately
1 minute. WHILE he WAS ready to pull
his file COPIES.

yes I did WALK to the sink to WAS my HANDS
+ ink out of my eyes. I did tell the
pic pressman in CHARGE FRANK DONNATIN.
Brian McCabe did Scream + VIOLENTLY
THreaten myself.

I WAS Suspended for 7 Days from
Work By JOHN G McCabe

ASSISTANT GENERAL
Foreman

AT HIS - Discrepancy taken
will give time off.

DIGITAL (CAMERA)

PAGE #3. SEE PHOTO OF "MARK UP" SCHEDULE
OF DAYS ASSIGNED OFF. MY NAME
CASAIBLANCA, J. DARKENED which
refers to NO WORK ASSIGNMENT
Suspended
without pay week start June 6, 2010 -
June 18th which will follow on the
MARK UP SCHEDULE for the week starting
6/13/2010 put up on SATURDAYS.